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November 4, 2020

VIA ECF

Hon. John P. Cronan U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *A.A., et al. v. N.Y.C. Dep't of Educ.*, 20-cv-02274 (VEC)

Dear Judge Cronan,

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant in the above-referenced action wherein Plaintiffs seek, among other relief, attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq., as well as for this action.

I write to respectfully request a 30-day adjournment of the parties' **Initial Pre-Trial Conference**, currently scheduled for **November 6 at 10:00am**. This is the third request for an adjournment. This Court granted Defendant's first request for adjournments given the COVID-19 pandemic and its impact on the operations of the New York City Department of Education. Its second adjournment was granted given the City's sudden and mandated termination of the employment of five attorneys who handles all fees litigation under the Individuals with Disabilities Education Act, 20 U.S.C. §1400.

This third request stems arises from the fact that Defendant's counsel has obtained settlement authorization from the Comptroller's Office as of this Monday, November 2.

Defendant requests additional time, which will allow the parties to attempt full settlement without the need for further burden on the Court.

Historically, both offices have had success resolving federal fee claims through the settlement process without having to submit summary judgment motions or to engage in further litigation. Therefore, based on previous experience, we are hopeful that we will be able to reach a settlement agreement and avoid further litigation in this matter as well.

The requested extension should, barring any extraordinary circumstances, provide the parties with additional time to attempt to resolve this matter entirely. Therefore, Defendant respectfully requests that the Pre-Trial Conference be adjourned to December 4, 2020. Thank you for considering this request.

Respectfully Submitted,

/s/

Bianca C. Isaias
Attorney for Defendants


cc: Adam Dayan (via ECF) *Attorney for Plaintiffs*

It is hereby ORDERED that the November 6, 2020 conference is adjourned *sine die*, and that the parties shall submit a joint letter updating the Court on the status of settlement discussions by December 4, 2020.

The Clerk of the Court is respectfully directed to terminate the motions pending at document number 15 and 16.

SO ORDERED.

Date: November 4, 2020
New York, New York


JOHN P. CRONAN
United States District Judge